

# Order

Michigan Supreme Court  
Lansing, Michigan

December 27, 2007

Clifford W. Taylor,  
Chief Justice

134631 & (68)

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

JAMES LEWIS,  
Petitioner-Appellant,

v

SC: 134631  
COA: 261349  
State Tenure Comm: 04-000008

BRIDGMAN PUBLIC SCHOOLS,  
Respondent-Appellee.

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On order of the Court, the application for leave to appeal the May 8, 2007 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals because the teacher tenure act, MCL 38.101 *et seq.*, does not require the State Tenure Commission to apply a “clear error,” rather than a “de novo,” standard of review to its consideration of the preliminary decisions of administrative law judges. We REMAND this case to the Court of Appeals for consideration of whether the Commission’s decision was arbitrary, capricious, or an abuse of discretion; or unsupported by competent, material, and substantial evidence on the whole record. See Const 1963, art 6, § 28; MCL 24.306(1)(d), (e). The motion for stay is DENIED.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 27, 2007

*Corbin R. Davis*

Clerk